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| 08/418,185 | 04/07/95 | SCHWEITZER | E |

CLARK A PUNTIGAM
JENSEN & PUNTIGAM
2033 6TH AVENUE
SUITE 1020
SEATTLE WA 98121-2584

26M1/0910

CARMAN EXAMINER

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| ART UNIT | PAPER NUMBER |
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2607

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DATE MAILED:

09/10/96

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

SEE ATTACHMENT.

Office Action Summary

| | |
|--------------------------------|--|
| Application No. 08/418,185 | Applicant(s) Schweitzer III, et al. |
| Examiner Melissa Kay Carman | Group Art Unit 2607 |



Responsive to communication(s) filed on Apr 7, 1995

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-25 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-25 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Part III DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p) (4) because reference characters "58" and "46" have both been used to designate the "modem"; reference character "44" and "59" have both been used to designate "telephone line"; reference character "117" has been used to designate both "EEPROM" and "Transmit Buffer"; and reference character "40" has been used to designate both "RTU" and "Local Terminal or Computer". Correction is required.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p) (5) because they do not include the following reference sign(s) mentioned in the description: "fast meter routing 106". Correction is required.

Specification

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors.

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

4. The abstract of the disclosure is objected to because of the following informality:

- a) on line 9, insert --(IED)-- after "intelligent electronic devices".

Correction is required. See MPEP § 608.01(b).

5. The disclosure is objected to because of the following informalities:

- a) on page 13, both the "EEPROM" on line 21 and the "transmit buffer" on line 34 use the reference character "117";
- b) on page 14, line 17, delete "116" and substitute therefore --110--, in order to correctly identify the "message checker";
- c) on page 15, line 13, delete "18" and substitute therefore --118--, in order to correctly identify the "PIT ISR";
- d) on page 16, lines 14 and 15, the "fast meter routine" is identified as reference character "106", however, "106" has

been assigned to the "ASCII Buffer". Additionally, the "fast meter routine" is not reflected in the drawings.

Appropriate correction is required.

Claim Objections

6. Claims 2 and 23 are objected to because of the following informalities:

a) in claim 2, on line 3, delete "IED" and substitute therefore --Intelligent Electronic Device (IED)--, in order to clearly identify the IED acronym. Appropriate correction is required;

b) claim 22 (second occurrence) has been misnumbered, substitute therefore --23--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. Claims 5, 9, 21, and 22-25 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The

specification is not enabling because it does not provide enablement for the following: the means for "automatically" configuring a port; the means for "automatically" requesting data and obtaining the data from a particular port device; buffer means at each port which "separately" store binary format data and ASCII format data; the means for processing and storing fast meter binary data; the means for parsing received data "in accordance with selected rules" which may be preestablished or defined by an operator.

8. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

Claim 8 recites the limitation "responsive to command settings" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "transparent to data" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-4, 6, 10-12, 14, and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by **Chiba et al.**

Chiba et al. (US 5,428,553) teaches a communications processor apparatus for integrating communication between a plurality of electronic devices having data communication capability present at a given location in a power system (col. 4,

lines 37-44). The communication processor apparatus comprises an electronic network system with a plurality of port positions in which electronic devices may be connected, including at least one port position to which an apparatus for entry of control commands may be connected and at least one port position through which data obtained from the electronic devices may be provided (col. 4, lines 51-60); means for storing and retrieving data obtained from the electronic devices (col. 5, lines 17-25); means for processing the data obtained from the electronic devices (col. 4, lines 55-62); control means for controlling the flow of data and control commands within the apparatus and between the ports (col. 5, lines 67-68; and col. 6, lines 37-44); means for configuring the communication parameters (FIG. 15 and col. 18, line 64 to col. 19, line 10); a plurality of contact input means and a plurality of contact output means (FIG. 13, and col. 18, lines 19-22); means for providing time information (FIG. 7, and col. 13, lines 29-32; col. 14, lines 43-49); a buffer storage, means for temporarily storing data, and a long-term non-volatile memory (FIG. 7, and col. 13, lines 27-36, col. 14, lines 10-16).

Allowable Subject Matter

11. Claims 7, 13, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yalla et al. (US 5,224,011) teaches a protective relay system which includes a dual processing architecture.

Sun et al. (US 4,972,290) teaches an electric power system with remote monitoring and control of protective relays.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mrs. Melissa Kay Carman whose telephone number is 703/308-7605. The examiner can normally be reached on Monday-Friday from 7:00AM - 3:30PM, Eastern Time.

If attempts to reach the examiner by telephone are not successful, the examiner's supervisor, Mr. Wellington Chin, can be reached on 703/305-4366. The telephone number for the facsimile machine in this group is 703/305-9509.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703/305-4750.

Melissa Kay Carman
Melissa Kay Carman
Patent Examiner



WELLINGTON CHIN
PRIMARY EXAMINER
GROUP 2600